

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-15653 - APPLICANT/OWNER: FRANK HAWKINS, JR.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 6, 2008 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4923) as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Rezoning (ZON-4923) from R-1 (Single Family Residential) to R-PD13 (Residential Planned Development - 13 Units per Acre) on 4.50 acres at 711 North Tonopah Drive.

EXECUTIVE SUMMARY

This is the first request for an extension of time for the approved Rezoning (ZON-4923). The extension of time is needed to prevent the parent Rezoning and related cases from expiring prior to recordation of the final map. The applicant has submitted civil improvement plans and a final map to the City. The plans are in various stages of plan check. Therefore, the subject extension of time can be supported as conditioned.

BACKGROUND INFORMATION

A) *Related Actions*

- 09/09/98 The City Council denied a request for a Rezoning (Z-0042-98) on the subject site from R-1 (Single Family Residential) to R-4 (High Density Residential), to accommodate a project consisting of 160 one-bedroom Apartments. The Planning Commission and staff recommended denial on 07/09/98.
- 12/01/99 The City Council approved a requests for a General Plan Amendment (GPA-0036-99) from ML (Medium-Low Density Residential) To: M (Medium Density Residential), a Rezoning (Z-0062-99) from R-1 (Single Family Residential) to: R-3 (Medium Density Residential), and a Site Development Plan Review (Z-0062-99(1)) on the subject site, for a 75-unit, two-story Senior Housing Complex. The Planning Commission and staff recommended approval of the General Plan Amendment on 10/21/99, and of the other two applications on 10/28/99.
- 10/06/04 The City Council approved a Rezoning (ZON-4923) from R-1 (Single Family Residential) under a Resolution of Intent to R-3 (Medium Density Residential) to R-PD13 (Residential Planned Development - 13 Units per Acre), a Site Development Plan Review (SDR-4924) for a 60-lot single-family residential project and a Variance (VAR-5039) to allow an R-PD (Residential Planned Development) zoning district on 4.5 acres where 5.00 acres is the minimum required. The Planning Commission and staff recommended approval on 09/09/04.

- 05/26/05 The City Council approved a Tentative Map (TMP-6489) for a 60-lot single family residential subdivision on 4.50 acres adjacent to the west side of Tonopah Drive, approximately 450 feet north of Bonanza Road. Staff recommended approval of the request.
- 09/20/06 The City Council will consider two related Extensions of Time (EOT-15654) of an approved Variance (VAR-5039) that allowed an R-PD (Residential Planned Development) zoning district on 4.5 acres where 5.0 acres is the minimum required and Extension of Time (EOT-15651) of an approved Site Development Plan Review (SDR-4924) that allowed a 60-lot single family residential development. Staff is recommending approval of the related items.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.50
Net Acres: 3.10

B) Existing Land Use

Subject Property: Undeveloped
North: Multi-Family Dwellings
South: Multi-Family Dwellings
East: Single Family Dwellings
West: Multi-Family Dwellings

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: M (Medium Density Residential)
South: H (High Density Residential) and ML (Medium-Low Density Residential)
East: L (Low Density Residential) and M (Medium Density Residential)
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) under Resolution of Intent to R-PD13 (Residential Planned Development - 13 Units per Acre)
North: R-PD16 (Residential Planned Development - 16 Units per Acre)
South: R-4 (High Density Residential) and C-M (Commercial/Industrial)

East: R-E (Residence Estates)
West: R-1 (Single-Family Residential) and R-PD16 (Residential Planned Development - 16 Units per Acre)

E) General Plan Compliance

The subject site is currently designated on the Southeast Sector Plan map as M (Medium Density Residential). The R-PD13 (Residential Planned Development – 13 Units per Acre) zoning district conforms to the M land use designation. The site plan conforms to this companion zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
<i>West Las Vegas Plan</i>	X	
<i>Las Vegas Redevelopment Plan</i>	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) General Analysis and Discussion

This is the first Extension of Time for the subject Rezoning (ZON-4923). The Rezoning was approved by the City Council on 10/06/04. There was an associated Variance (VAR-5039) and Site Development Plan Review (SDR-4924) that were also approved. The applicant has submitted civil improvement plans and a final map to the City. The extension of time is needed to prevent the parent Rezoning and related cases from expiring prior to recordation of the final map. Therefore, the Extension of Time can be supported to allow for additional time.

B) Previous Conditions of Approval from Rezoning (ZON-4923)

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-5039) to allow R-PD development on a site smaller than five acres and a Site Development Plan Review application (SDR-4924) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Construct half-street improvements including appropriate overpaving on Tonopah Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The existing General Plan designation of the subject site is M (Medium Density Residential). This category allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-PD13 (Residential Planned Development - 13 Units per Acre) is consistent with the current General Plan designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

Although the proposed project on this site is at a density that is slightly lower than the surrounding residential properties to the north, west and south, the design of the project will integrate well with the surrounding apartments.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The subject property is in a location where quality infill development is needed. The growth and development factors in the community, and the potential for the area to be added to the Redevelopment Plan boundary, indicate that the proposal will be an appropriate addition to the area.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Access to the property will be available from Tonopah Drive, designated as a 50-foot local street on the Master Plan of Streets and Highways. This street is adequate to meet the traffic demands of this proposed single-family residential development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

N/A

APPROVALS

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PROTESTS

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